

To the Honorable Susan Paradise Baxter,

Date: February 26, 2006

In re: Kerwin vs. McConnell, 05-93 ERIE (civil action)

On February 14, 2006 you ordered the defendant in the above matter to provide me with my discovery requests before February 22, 2006. After the defendant failed to obey your order I filed a motion for sanctions on February 21, 2006. It is now February 26, 2006 and the defendant has still not provided me with these court ordered discovery requests.

I am bringing this to your attention because I want to make it clear that the motion for sanctions was not prematurely filed and that the defendant continues to disobey this court's order. Since the discovery deadline in this case ends on March 9, 2006 (11 days from the date of this letter) it is imperative that this court sanction the defendant and re-order him to provide me with the discovery in question as soon as possible.

Defense counsel has been provided with a copy of this letter to avoid ex parte communication.

Respectfully,

Ryan Kerwin  
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S.C.I. Albion  
10745 Route 18  
Albion, PA. 16475-0002

CC: Kemal Alexander Mericli  
(defense counsel)